

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 15521PERMIT 9638LICENSE 5801ORDER ALLOWING CORRECTION OF DESCRIPTION OF
POINT OF DIVERSION AND CHANGE IN PLACE OF USE

WHEREAS License 5801 was issued to Lew W. Cook and was recorded with the County Recorder of Sonoma County on October 26, 1959, at page 273, Book 1707, of the official records, and

WHEREAS said license was subsequently assigned to Dwight M. Cochran, and

WHEREAS the State Water Rights Board has found that the correction of description of point of diversion and change in place of use under said license for which petitions were submitted on June 14, 1966, and January 6, 1967, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and correction and has directed that an order be issued to describe said point of diversion and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to correct the description of point of diversion under said License 5801 to read as follows, to wit:

SOUTH ONE THOUSAND THREE HUNDRED AND FIFTY (1350) FEET AND WEST TWO HUNDRED AND FIFTY (250) FEET FROM NE CORNER OF PROJECTED SECTION 24, T9N, R8W, MDB&M, BEING WITHIN SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SAID SECTION 24.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said License 5801 to place of use described as follows, to wit:

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STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 15521

PERMIT 9638

LICENSE 5801

STOCKWATERING AT RESERVOIR WITHIN NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ AND SW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 19, T9N, R7W, MDB&M; AND, NE $\frac{1}{4}$ OF NE $\frac{1}{4}$ AND SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 24, T9N, R8W, MDB&M, AND IRRIGATION AS FOLLOWS:

3 ACRES WITHIN NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 19, T9N, R7W, MDB&M
16 ACRES WITHIN NW $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 19, T9N, R7W, MDB&M
29 ACRES WITHIN SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 18, T9N, R7W, MDB&M
22 ACRES WITHIN SE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 18, T9N, R7W, MDB&M
10 ACRES WITHIN SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 13, T9N, R8W, MDB&M

80 ACRES TOTAL

Dated: APR 5 1967

L. K. Hill
L. K. Hill
Executive Officer



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
License for Diversion and Use of Water

APPLICATION 15521

PERMIT 9638

LICENSE 5801

THIS IS TO CERTIFY, That

Lew W. Cook
Route 1, Box 66
Calistoga, California

Notice of Assignment (Over)

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
unnamed stream in Sonoma County
tributary to Kelly Creek

has made proof as of May 26, 1959

for the purpose of irrigation and stockwatering uses
under Permit 9638 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from September 2, 1953
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed ninety-seven (97) acre-feet
per annum to be collected from about October 1 of each year to about June 1 of the
succeeding year.

The maximum withdrawal from storage for irrigation in any one year has been
93 acre-feet and 4 acre-feet have been held over in storage for stockwatering
purposes.

The point of diversion of such water is located:

South one thousand three hundred ten (1310) feet and west fifty (50) feet from
NW corner of projected Section 19, T9N, R7W, MDB&M, being within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of
said projected Section 19, also within Mallacomes Rancho.

A description of the lands or the place where such water is put to beneficial use is as follows:

10 acres within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Section 19, T9N, R7W, MDB&M.
25 acres within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of projected Section 18, T9N, R7W, MDB&M.
35 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

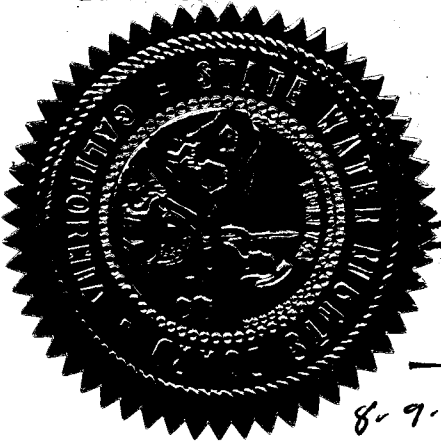
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: OCT 22 '59



L. K. Hill
L. K. Hill
Executive Officer

12/13/60

RECEIVED NOTICE OF ASSIGNMENT TO

Dwight

M. Cochran

9-8-71

RECEIVED NOTICE OF ASSIGNMENT TO

K K Bechtel

8-9-79 assigned to Calif Academy of Sciences

5/21/90 assigned to Nancy F. Ogg - 5801-2

LICENSE 5801

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Lew W. Cook

DATED OCT 22 '59

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